

June 17, 2003 CPC



**STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION**

03SN0267

Balzer and Associates

**Midlothian Magisterial District
North line of Midlothian Turnpike**

REQUEST: Amendment to Conditional Use Planned Development (Case 87S064, Condition 22) to allow individual property owners within the boundaries of the property encompassed by this application to file schematic/subdivision plans independent of other property owners within the boundaries of the property encompassed by this application.

PROPOSED LAND USE:

A mixed-use development to include various styles of residential, office and light industrial uses is planned.

RECOMMENDATION

Recommend approval for the following reason:

The intent of the condition approved with Case 87S064 was to ensure coordinated development and adequate transition between different land uses. Approval of this request and imposition of the recommended condition would still allow staff the ability to address adequate land use transition as plans are submitted for review and approval.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS.)

CONDITION

Within the Property ownership boundaries as shown on the map entitled "Property Ownership Boundaries", schematic plans shall be submitted for entire tracts. It is the intention of this condition that future applications for schematic plan approval need only include that part of the tract located within the ownership boundaries shown on the map entitled "Property Ownership Boundaries. (For example, within the "Batte Tract" ownership boundary, schematic plans shall be submitted for all of that part of Tract B located within the ownership boundaries of the "Batte Tract" and that part of Tract B located within the ownership boundaries of the "Salisbury Tract" need not be included as a part of that schematic plan. For that part of Tract B located within the ownership boundaries of the "Salisbury Tract", schematic plans shall be submitted for all of that part of Tract B located within the ownership boundaries of the "Salisbury Tract" and that part of Tract B located within the ownership boundaries of the "Batte Tract" need not be included as a part of that schematic plan. This condition will not allow the filing of schematic plans on parts of tracts located within the property ownership boundaries as shown on the map entitled "Property Ownership Boundaries".) (P)

(NOTE: This condition supersedes Condition 22 of Case 87S064 for the subject property only. All other conditions of approval for Case 87S064 remain in effect.)

GENERAL INFORMATION

Location:

North line of Midlothian Turnpike, western terminus of North Otterdale Road and eastern terminus of Justice Road. Tax IDs 719-712-3308, 720-710-0681, 723-710-8108 and 724-710-1160 (Sheet 5).

Existing Zoning:

R-25, R-9, O-2 and I-1, all with Conditional Use Planned Development

Size:

117.4 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

- North - R-40, R-25 and I-1 with Conditional Use Planned Development; Single family residential or vacant
- South - A and I-1 with Conditional Use Planned Development and A; Commercial or vacant
- East - R-25, R-9 and I-1 with Conditional Use Planned Development and A; Single family residential or vacant
- West - I-1 with Conditional Use Planned Development and A; Single family residential, industrial or vacant

UTILITIES

This request will not impact the public water and wastewater systems. The use of the public water and wastewater systems is required as an existing condition of zoning. (Case 87S064, Condition 2)

ENVIRONMENTAL

The proposed amendment will have no impact on these facilities.

PUBLIC FACILITIES

Fire Service:

The proposed amendment will have minimal impact on these facilities.

Transportation:

In 1987, the Board of Supervisors approved a rezoning request on 375 acres (Case 87S064), located on the north side of Midlothian Turnpike (Route 60), for development of a mixed-use project. The subject property (117.4 acres consisting of two (2) major parts; the western part and the eastern part) was included with that 375 acre zoning case. The Master Plan that was approved with Case 87S064 divides the 375 acres into several tracts and shows several collector roads, including an extension of North Otterdale Road through the western part of the subject property, and an extension of Justice Road through the eastern part of the subject property. The Thoroughfare Plan identifies North Otterdale Road and Justice Road as collectors, with recommended right of way widths of seventy (70) feet. The developer will be responsible for dedicating and constructing the extension of these roads through the entire length of the subject property.

The applicant is requesting an amendment that will allow schematic plans to be submitted and approved separately from the balance of the 375 acres. The requested amendment will not affect any transportation related conditions on the property, and will have no impact on

the anticipated traffic generated by development of the subject property. Vehicles generated by this development will be distributed along Route 60, which had a 2001 traffic count of 20,000 vehicles per day.

At time of schematic plan review, specific recommendations will be provided regarding right of way dedications for and construction of North Otterdale Road and Justice Road.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Route 288 Corridor Plan which suggests the property is appropriate for office/residential mixed use and for light industrial/flex use.

Area Development Trends:

The request property and portions of adjacent properties comprise the Sommerville mixed-use development. Adjacent properties to the north and a portion of adjacent property to the east are zoned Residential (R-40 and R-25) and have been developed as single family residential lots in Rosemont, Michaux and Michaux Creek Subdivisions, or remain vacant. Adjacent property to the south is zoned Agricultural (A). The remaining portions of adjacent property to the east are zoned Residential (R-9), Agricultural (A) and Light Industrial (I-1) and are occupied by industrial uses or are vacant. The proposed extension of Route 288 lies adjacent to the western property boundary of the subject property. With the extension of Route 288, it is anticipated that the area will experience development for a variety of land uses.

Zoning History:

On September 23, 1987, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning with Conditional Use Planned Development (Case 87S064) on the subject property and portions of adjacent property to the north and east and adjacent property to the south and west. The request site encompasses portions of Tracts A, B, C and D as were depicted on the plan approved with Case 87S064. Uses permitted in Tract A include light industrial and commercial uses; in Tract B, office, industrial and a variety of residential uses; in Tract C, a variety of residential housing types; and in Tract D, single-family residential uses. Conditions of zoning approval require, at a minimum, submission of a schematic plan for each tract, even if the tracts are under separate ownership. The intent of the condition was to ensure coordinated development and proper transition between different land uses.

Site Design:

Currently, the request property lies within an Emerging Growth Area. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. In addition to the conditions of zoning approval for Case 87S064, redevelopment of the site or new construction must conform to the requirements of the Zoning Ordinance, which, along with the conditions approved through zoning, address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities and screening of dumpsters and loading areas.

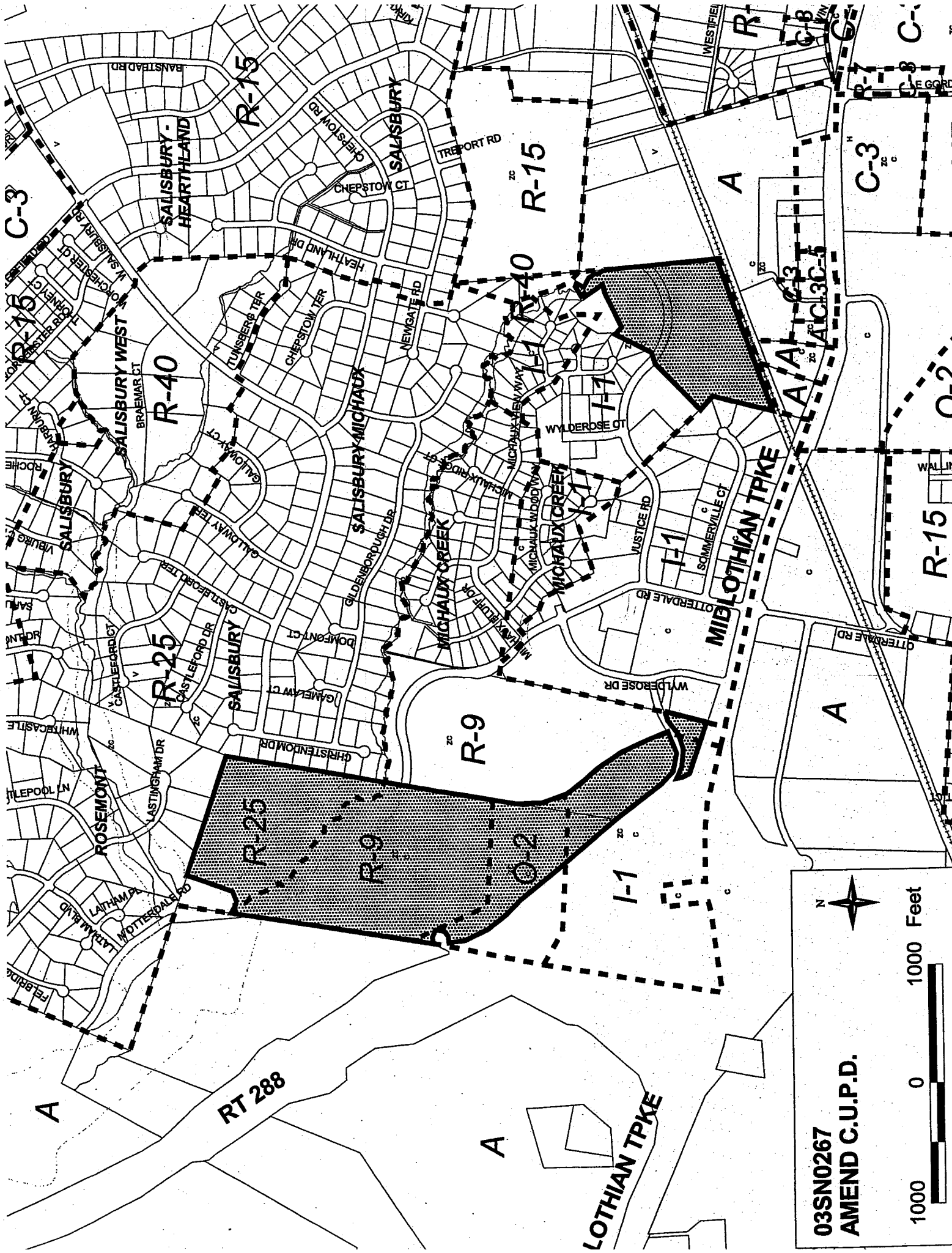
CONCLUSIONS

The intent of the condition approved with Case 87S064 was to ensure coordinated development and adequate transition between different land uses. The imposition of the recommended condition would still allow staff the ability to address adequate land use transition. Where areas are being developed adjacent to, as yet undeveloped property, staff would look at the possible uses that could develop on the undeveloped property and ensure adequate transition and compatibility, assuming the more incompatible use would develop on the undeveloped parcel.

Given these considerations, approval of this request is recommended.

CASE HISTORY

If the Planning Commission acts on this case on June 17, 2003, it will be considered by the Board of Supervisors on June 18, 2003.



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AMEND C.U.P.D.



